

REMARKS

Telephonic Conversation with Examiner Wollenberger

Applicants as well as the undersigned thank the Examiner for the helpful telephonic conversation on March 16, 2010, regarding the objection to the specification based on noncompliance with the requirements of 37 CFR 1.821 through 1.825. During the conversation, the undersigned explained that it would not be possible to provide a Supplemental Sequence Listing by the Office Action response deadline of March 18, 2010, but that a Supplemental Amendment would be filed as soon as a Supplemental Sequence Listing was provided by the Applicants. The Examiner indicated that an amendment filed by the March 18, 2010, would not be considered noncompliant even though a Supplemental Sequence Listing would not be filed concomitant with the amendment, but encouraged the filing of the Supplemental Sequence Listing prior to the issuance of the next office action.

Specification/Sequence Compliance

In the Office Action, the specification was objected to because the application fails to comply with the requirements of 37 CFR 1.821 through 1.825 because the application contains nucleotide sequences of over 10 nucleobases each that are not identified by accompanying sequence identifiers. In the present Amendment, the appropriate paragraphs have been amended to include SEQ ID NO:s. Filed herewith is a Supplemental Sequence Listing including all of the nucleotide sequences of over 10 nucleotides disclosed in the present application. Applicants request entry of the Supplemental Sequence Listing into the present application. The Supplemental Sequence Listing filed herewith, in accordance with 37 C.F.R. § 1.821(g), does not include new matter. The content of the electronically filed Supplemental Sequence Listing is submitted in accordance with 37 C.F.R. § 1.821(e).

Conclusion

The foregoing amendments are made to insert the required SEQ ID NO identifiers associated with various listed sequences, as well as to incorporate by reference the Supplemental Sequence Listing filed concurrently herewith.

As this is a supplemental amendment no fees are believed to be due. However, the Commissioner for Patents and Trademarks is hereby authorized to charge any underpayment of fees or credit any overpayment of fees to Deposit Account No. 14-1437.

The Examiner is cordially invited to call the undersigned if clarification is needed on any matter within this amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

Date: May 18, 2010

Docket No. 4052-003

 / Amy A. Dobbelaere /
Jerold I. Schneider, Reg. No. 24,765
Amy A. Dobbelaere, Ph.D., Reg. No. 52,088
NOVAK DRUCE + QUIGG LLP
525 Okeechobee Blvd, 15th Floor
West Palm Beach, FL 33401
Telephone: (561) 847-7800